

REMARKS

The claims in the application are 1, 2, 4-16, 18 and 22-27.

Favorable reconsideration of the application as amended is respectfully requested.

The present amendment is being made in accordance with a telephone interview between the Examiner in charge of the above-identified application at the Patent and Trademark Office and the undersigned attorney on Monday, September 11, 2006. The courtesy extended by the Examiner in arranging for and conducting the telephone interview, is greatly appreciated.

More specifically, the claims have been amended to eliminate the rejections under 35 U.S.C. §112, second paragraph, raised in paragraphs 2.a.-h. of the Final Office Action; it is believed the Examiner intended to refer to Claim 15 (not Claim 14) in paragraph 2.g. of the Final Office Action. In this regard, reference numerals may be incorporated into the claims purely to aid comprehending the claimed invention and, as noted in M.P.E.P. §608.01(m), do not affect claim scope.

The claims and specification have also been amended at the appropriate locations to recite rod or stay 17. The term **zuganker** found in the original German text as filed with the above-identified application, can mean a rod or stay; attention is respectfully called to page 1160 of the attached German-English Technical and Engineering Dictionary and which contains this definition for **zuganker**. Therefore, there is clear, unequivocal support in the application text as filed for inserting terminology of stay

17.

Accordingly, the only outstanding issue is the art rejection of the claims. More particularly, Claims 1, 2, 6 and 23 have been rejected under 35 U.S.C. §102 as being anticipated by U.S. Pat. No. 6,481,587 to Higgins in paragraph 5 of the Final Office Action;

Claims 1, 2 and 4 have been rejected under 35 U.S.C. §103 as obvious over U.S. Pat. No. 5,799,807 to Hamme in view of U.S. Pat. No. 5,803,279 to Stallbaumer et al in paragraph 6 of the Final Office Action;

Claims 1-3, 15 and 21 have been rejected under 35 U.S.C. §103 as obvious over U.S. Pat. No. 4,976,361 to Becker in view of Stallbaumer et al in paragraph 7 of the Final Office Action;

Claims 1, 2, 7, 8 and 24 have been rejected under 35 U.S.C. §103 as obvious over DE 200 02 748 in view of Stallbaumer et al in paragraph 8 of the Final Office Action;

Claim 5 has been rejected under 35 U.S.C. §103 as obvious over Becker in view of Stallbaumer et al and U.S. Pat. No. 6,186,347 to Reifenscheid et al in paragraph 9 of the Final Office Action;

Claims 6 and 23 have been rejected under 35 U.S.C. §103 as obvious over Becker in view of Stallbaumer et al and U.S. Pat. No. 4,383,616 to Sterner et al in paragraph 10 of the Final Office Action;

Claim 9 has been rejected under 35 U.S.C. §103 as obvious over Becker in view of Stallbaumer et al and U.S. Pat. No. 4,982,853 to Kishi in paragraph 11 of the Final Office Action;

Claims 4, 22 and 18 have been rejected under 35 U.S.C. §103 as obvious over Becker in view of the combination of Stallbaumer et al, Kishi and Higgins in paragraphs 12 and 16 of the Final Office Action;

Claims 10-14, 25 and 26 have been rejected under 35 U.S.C. §103 as obvious over Becker in view of Stallbaumer et al and U.S. Pat. No. 4,850,161 to McGinnis in paragraph 13 of the Final Office Action;

Claims 10-13, 25 and 27 have been rejected under 35 U.S.C. §103 as obvious over Hamme in view of Stallbaumer et al and newly-cited EP 1,213,254 to Irsch et al in paragraph 14 of the Final Office Action; and

Claims 16, 17, 19 and 20 have been rejected under 35 U.S.C. §103 as obvious over Becker in view of the combination of Stallbaumer et al, Kishi and Reifenscheid et al in paragraphs 15 and 17 of the Final Office Action.

However, in light of the telephone interview and accompanying amendment herein, it is respectfully submitted the invention as recited in all pending claims herein is patentable over the applied art, for the following reasons (reference will again be made to preferred embodiments of the present invention illustrated in the drawings of the present application).

It is again respectfully pointed out the presently claimed invention explicitly improves ease of raising a guy stand 11 of a telescopic boom 1 to provide concomitant support of heavy loads. The present amendment to independent Claim 1 incorporates

recitation from dependent Claim 3 (which has been canceled without prejudice) and (together with the clarification made to the proposed amendment as agreed during the telephone interview) sets forth orientation of guy stand 11, tension rod or stay 17 and guy cable 10 with respect to one another in fully extended position as illustrated, e.g., in Fig. 1 of the present application. More specifically, in fully raised, extended and operating position, the tension rod or stay 17 extends between the guy stand 11 and cable 10 and forms acute angles with each, facing the boom; Higgins fails to show or suggest this particular arrangement.

Furthermore, incorporating recitation of dependent Claim 3 into independent Claim 1 automatically eliminates the anticipatory and obviousness rejections set forth in paragraphs 5, 6 and 18-17 of the Final Office Action. Concerning the obviousness rejection raised in paragraph 7 of the Final Office Action, Stallbaumer et al illustrate a load line 170 coupled for lifting a hook, not a guy cable 10 terminating at respective attachment points on the pivot and telescopic sections 2,8 as in the present invention.


At the same time, Becker illustrates guying rope 28 extending up from winch 6 on rotating deck 2, passing around pulley block 26 suspended by ropes 25 and back down to fixed point 29 on the rotating deck 2 (Figs. 6 and 7 and column 4, lines 8-29). Accordingly, Becker also fails to disclose or suggest the feature of guy cable 10 terminating at respective attachment points on the pivot and telescopic sections 2,8 as in the present invention. Therefore, the presently claimed invention patentably defines over any possible combination of teachings of Becker and Stallbaumer et al.

The remaining art of record has not been applied against the invention as claimed herein and will not be commented upon further at this time.

Accordingly, in view of the forgoing amendment, accompanying remarks and telephone interview in the above-identified application, it is respectfully submitted all claims pending herein are in condition for allowance. Please contact the undersigned attorney should there be any questions. A petition for an automatic two month extension of time for response under 37 C.F.R. §1.136(a) is enclosed in triplicate, together with the requisite petition fee, RCE papers and RCE fees.

Early favorable action is earnestly solicited.

Respectfully submitted,


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zufrieren — zugemischt

zufrieren to freeze up or over

zufügen to add, inflict

Zufuhr *f* addition, supply, feed, lead-in, importation, input, admission, inlet ~ abschneiden to cut off supplies

zuführen to supply, feed, admit, convey, carry into, lead in, deliver, bring up, conduct

Zuführer *m* belt pawl, feed mechanism

Zufuhrgleis *n* leading-in line

Zuführ-greifer *m* travelling feed grippers -latten-tisch *m* lattice feed table -magazin *n* feeding magazine

Zufuhr-regler *m* supply valve -rollgang *m* live-roller-type feeding table -stockung *f* interruption in supply -straße *f* road approach, supply road

Zuführtisch *m* feed lattice-table

Zuführung *f* feed, delivery, supply, inlet, lead (elec.), conveyance, supply line abgeschirmte ~ shielded input lead ~ durch Gefälle gravity feed in ~ in transit, on the way lose ~ wandering lead verdrehte und abgeschirmte ~ twisted and screened lead

Zuführungs-bewegung *f* feed movement (feed motion) -bohrer *m* conducting bit, guide bit -draht *m* lead-in or feed wire -gehäuse *n* feed-mechanism housing -kabel *n* supply or leading-in cable, feeder (cable) -leitung *f* supply main or lead, feeder (line) -rohr *n* supply pipe, feed pipe, intake -rolle *f* feeding pulley -schiene *f* conductor bar -teller *m* delivery plate -vorrichtung *f* feeding device -walze *f* feed roller

Zufuhrvorrichtung *f* supplying device, feeding device

zufüllen to fill in or up

Zug *m* draw; (Technik) pull, traction; (Spannung) tension, stress; (Saugkraft) suction; (Stanzwerkzeug) drawing tool; (Hebezeug) hoist; (Flaschen ~) pulley; (Eisenbahn) train; (Zugluft) draft; (U.S.) train; tug, drawing, motion, progress, impulse, tendency, drawtube, stroke, disposition, procession; feature, characteristic, flue, thrust, platoon, groove (ordnance), stand, current, pass (of boiler), trend, girder, piston, rifling, sign, stretch, whiff, course, traverse, extender, mover, negative pressure, block and tackle, strain ~ und Druck push and pull ~ eines Kohlenmeilers vapor channel, air hole, or funnel of a charcoal pile ~ über Tage survey line on surface ~ unter Tage draft underground einen ~ ablassen to start a train

Zuge, in einem ~ in a single operation

Zug, abfahrender ~ starting train durchgehender ~ direct train fahrplanmäßiger ~ scheduled train, künstlicher ~ forced or artificial draft leiser ~ light air sechsfacher ~ six-line reeving seitlicher ~ lateral pull, transverse stress seitlich auftretender ~ side pull verspäteter ~ delayed train

Zugabe *f* addition, extra, surplus, premium, supplement, allowance, tolerance ~ zum Einpassen fitting allowance

Zugabeartikel *m* gift, advertising novelty

Zugabfertigungsdienst *m* train dispatch service

Zugabnahme *f* reduction

Zugang *m* access, approach, entry, entrance,

zugänglich, zugänglich accessible

Zugänglichkeit *f* accessibility

Zugangs-leiter *f* approach ladder -tür *f* access door -weg *m* approach -zeit *f* access time

Zuganker *m* tie rod, tie bar, tension rod, connecting rod, through bolt, tie beam, anchoring rod, stay, adjustable bolt, iron tie gefederter ~ adjustable spring bolt

Zuganlage *f* draft equipment

Zuganzeiger *m* draft gauge

Zugbalken *m* balk, anchor tie beam

Zugband *n* tie rod; tension member or rod, drawstring, shock cord (in parachute) elastisches ~ elastic tie rod

Zugbandstoff *m* tie-rod material

Zugbeanspruchung *f* tensile load, tensile stress, stretching strain ~ der Vertauungen pull of mooring ropes

Zug-begleiter *m* runner, wagon road runner (min.) -belastung *f* tension or tensile load

Zugbeleuchtungs-ausrüstung *f* train lighting equipment

Zugblechträger *m* tension-field beam

Zugbolzen *m* set or tension bolt

Zugbrücke *f* drawbridge

Zug-dämpfer *m* baffle -dauer *f* duration of the dip -dehnungskurve *f* stress-strain curve -deckung *f* train blocking -diagonale *f* tie brace, tension brace, main oblique tie, oblique suspension rod -draht *m* taut wire -dreibacken-futter *n* draw-in type three-jaw clutch

Zugdruck-dauerfestigkeit *f* tension-compression fatigue strength -gummifederungsmittel *n* rubber shock absorber -maschine *f* pulsator machine -prüfmaschine *f* tension and compression testing machine -schwingungsfestigkeit *f* alternating tension- and compression-stress fatigue strength -schwingungsprüfmaschine *f* fatigue machine for alternating tension and compression stresses, alternating direct stress testing machine -verhältnis *n* ratio of tension to thrust -versuch *m* tension and compression test -wechselfestigkeit *f* alternate tensional-compressional strength -zünder *m* pull-pressure igniter

Zugdynamometer *n* traction dynamometer, spring balance pull

zugeben to add, charge, feed, allow, admit, permit, grant, consent, acknowledge

zugeführt-e Leistung power input -e Luftmenge quantity of air supplied

Zügeföhrung *f* cable guides

zugehören to belong to

zugehörig belonging, accompanying, proper, inherent, associated with -er Stecker *m* mating plug

Zugeisen *n* drawbar, dragbar

Zügel *m* reins, bridle

zugelassen approved behördlich ~ authorized, officially sanctioned

Zugelastizität *f* elasticity of extension or elongation

Zugelastizitätsmodul *m* modulus of elasticity in tension

Zugelektrode *f* pull electrode

zügeln to restrain, check, restrict

Zügel- und Sattelgurt *m* rein and saddle girth

zugemischt admixed -er Stoff admixed substance

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